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SEP 24 2004
U.S. TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chesnut *et al.*

Appl. No. 10/005,876

Filed: December 7, 2001

For: **Methods and Compositions for
Synthesis of Nucleic Acid
Molecules Using Multiple
Recognition Sites**

Confirmation No. 7958

Art Unit: 1636

Examiner: Ketter, J.S.

Atty. Docket: 0942.5340002/RWE/BJD/JKM

Sixth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth and Fifth Supplemental Information Disclosure Statements filed June 1, 2004, in connection with the above-captioned application.

The Examiner's attention is directed to the following co-pending U.S. Patent Application, which is directed to related technical subject matter:

U.S. Patent Application No. 10/893,235, Hartley, *et al.*, filed July 19, 2004 and submitted herewith as document **AS116**;

The identification of this U.S. Patent Applications is not to be construed as a waiver of secrecy as to this application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Chesnut *et al.*
Appl. No. 10/005,876

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

Chesnut *et al.*
Appl. No. 10/005,876

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
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Washington, D.C. 20005-3934
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304041_1.DOC



FORM PTO-1449

**SIXTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

ATTY. DOCKET NO.
0942.5340002/RWE/BJD/JKMAPPLICATION NO.
10/005,876FIRST NAMED INVENTOR
Chesnut et al.FILING DATE
December 7, 2001ART UNIT
1636**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
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	AJ						
	AK9	2003/0220249	11/27/2003	Hackett et al.			02/07/2003

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP9	WO 02/00875	01/03/2002	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>116</u>	Ohara, O. and Temple, G., "Directional cDNA library construction assisted by the <i>in vitro</i> recombination reaction," <i>Nucleic Acids Research</i> 29:e22(1-8), Oxford University Press (February 15, 2001).
	AS	<u>116</u>	Co-Pending U.S. Patent Application No. 10/893,235, Hartley et al., filed July 19, 2004 (Not Published).
	AT	<u>116</u>	Hartley, J.L., et al., "DNA Cloning Using In Vitro Site-Specific Recombination," <i>Genome Research</i> 10:1288-1795, Cold Spring Harbor Laboratory Press (November 2000).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 SIXTH SUPPLEMENTAL TRADEMARK INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 0942.5340002/RWE/BJD/JKM	APPLICATION NO. 10/005,876
		FIRST NAMED INVENTOR Chesnut et al.	FILING DATE December 7, 2001

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL10	WO 02/16594	02/28/2002	WIPO			Yes No
AM10	WO 01/31039	05/03/2001	WIPO			Yes No
AN						Yes No
AO						Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>117</u>	Heyman, J.A. et al., "Genome-Scale Cloning and Expression of Individual Open Reading Frames Using Topoisomerase I-Mediated Ligation," <i>Genome Research</i> 9:383-392, Cold Spring Harbor Laboratory Press (1999).
AS	<u>117</u>	Invitrogen Online Catalog, http://web.archive.org/web/20010112191100/www.invitrogen.com/catalog_project/cat_echo.html (accessed July 7, 2004).
AT	<u>117</u>	Invitrogen Online Catalog, http://invitrogen.com/content.cfm?pageid+3371&cfid=16767784&cftoken=62396683 (accessed July 7, 2004).

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	AN						Yes No	
	AO						Yes No	
	AP						Yes No	
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)								
	AR	<u>118</u>	Russell, M., "A recombination-based cloning system that decreases time to protein analysis," <i>American Biotechnology Laboratory</i> 18:8-10, International Scientific Communications, Inc. (June 2000).					
	AS	<u>118</u>	Sinclair, B., "Honing Your Cloning," <i>The Scientist</i> 14:29-32, The Scientist, Inc. (August 21, 2000).					
	AT							
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Respectfully submitted,

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Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

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1100 New York Avenue, N.W.
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					FILING DATE December 7, 2001	ART UNIT 1636		
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE	
	AA10	4,808,537	02/28/1989	Stroman et al.			10/30/1984	
	AB10	4,855,231	08/08/1989	Stroman et al.			09/25/1985	
	AC10	4,959,217	09/25/1990	Sanders et al.			05/22/198	
	AD10	5,654,182	08/05/1997	Wahl et al.			06/07/1995	
	AE10	2002/0106797-A1	08/08/2002	Miles et al.			03/12/2001	
	AF							
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	AK							
FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
	AL						Yes No	
	AM						Yes No	
	AN10	WO 92/15694 A1	09/17/1992	WIPO			Yes No	
	AO10	WO 00/12687 A1	03/09/2000	WIPO			Yes No	
	AP						Yes No	
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)								
	AR							
	AS							
	AT	118	Agah, R., et al., "Gene Recombination in Postmitotic Cells," <i>J. Clin. Invest.</i> 100:169-179, The American Society for Clinical Investigation, Inc. (July 1997)					
EXAMINER					DATE CONSIDERED			
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FORM PTO-1449

SEVENTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTOCT 24 2004
PATENT
SEARCHEDATTY. DOCKET NO.
0942.5340002/RWE/BJD/JKMAPPLICATION NO.
10/005,876FIRST NAMED INVENTOR
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

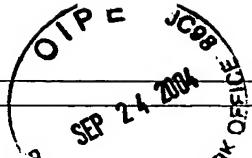
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>119</u>	Benoist, C. and Chamson, P., "In vivo sequence requirements of the SV40 early promoter region," <i>Nature</i> 290:304-310, Macmillan Journals, Ltd. (1981)
AS	<u>119</u>	Botstein, D., et al., "Making mutations <i>in vitro</i> and putting them back into yeast," in <i>From Gene to Protein: Translation into Biotechnology</i> , Ahmad, F., et al., eds., Academic Press, New York, NY, pp. 265-274 (1982)
AT	<u>119</u>	Broach, J.R., "The Yeast Plasmid 2 μ Circle," <i>Cell</i> 28:203-204, MIT (1982)

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FORM PTO-1440

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AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>120</u>	Cenatiempo, Y., "Prokaryotic gene expression <i>in vitro</i> : transcription -translation coupled systems," <i>Biochimie</i> 68:505-515, Elsevier (1986)
AS	<u>120</u>	Christiansen, B., et al., "A Resolvase-Like Protein Is Required for the Site-Specific Integration of the Temperate Lactococcal Bacteriophage TP901-1," <i>J. Bacteriol.</i> 178:5164-5173, American Society for Microbiology (1996)
AT	<u>120</u>	Crellin, P.K. and Rood, J.I., "The Resolvase/Invertase Domain of the Site-Specific Recombinase TnpX Is Functional and Recognizes a Target Sequence That Resembles the Junction of the Circular Form of the <i>Clostridium perfringens</i> Transposon Tn4451," <i>J. Bacteriol.</i> 179:5148-5156, American Society for Microbiology (August 1997)

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FORM PTO-1449

SEVENTH SUPPLEMENTAL TRADEMARK STATEMENT
INFORMATION DISCLOSURE STATEMENTO I P E
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SEP 24 2001
P A T E N T A L T R A D E M A R K C O R PATTY. DOCKET NO.
0942.5340002/RWE/BJD/JKMAPPLICATION NO.
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>121</u>	Ferrin, L.J. and Camerini-Otero, R.D., "Sequence-specific ligation of DNA using RecA protein," <i>Proc. Natl. Acad. Sci. USA</i> 95:2152-2157, National Academy of Sciences (March 1998)
	AS	<u>121</u>	Golic, K.G. and Golic, M.M., "Engineering the Drosophila Genome: Chromosome Rearrangements by Design," <i>Genetics</i> 144:1693-1711, The Genetics Society of America (1996)
	AT	<u>121</u>	Gottesman, S., "Bacterial regulation: Global regulatory networks," <i>Ann. Rev. Genet.</i> 18:415-441, Annual Reviews, Inc. (1984)

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SEVENTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTOCT 1 - 2004
PATENT & TRADEMARK OFFICE
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10/005,876FIRST NAMED INVENTOR
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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>122</u>	Guo, F., et al., "Structure of the Cre recombinase complexed with DNA in a site-specific recombination synapse," <i>Nature</i> 389:40-46, Nature Publishing Group (September 1997)
	AS	<u>122</u>	Hallet, B. and Sherratt, D.J., "Transposition and site-specific recombination: adapting DNA cut-and-paste mechanisms to a variety of genetic rearrangements," <i>FEMS Microbiol. Rev.</i> 21:157-178, Elsevier Science B.V. (September 1997)
	AT	<u>122</u>	Hamer, D.H. and Walling, M., "Regulation <i>In Vivo</i> of a Cloned Mammalian Gene: Cadmium Induces the Transcription of a Mouse Metallothionein Gene in SV40 Vectors," <i>J. Mol. Appl. Genet.</i> 1:273-288, Raven Press (1982)

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>123</u>	Hanks, S.K. and Hunter, T., "The eukaryotic protein kinase superfamily: kinase (catalytic) domain structure and classification," <i>FASEB J.</i> 9:576-596, The Federation of American Societies for Experimental Biology (1995).
	AS	<u>123</u>	Huang, L.-C., et al., "Convenient and Reversible Site-Specific Targeting of Exogenous DNA into a Bacterial Chromosome by Use of the FLP Recombinase: the FLIRT System," <i>J. Bacteriol.</i> 179:6076-6083, American Society for Microbiology (October 1997).
	AT	<u>123</u>	John, Jr., J.F. and Twitty, J.A., "Plasmids as Epidemiologic Markers in Nosocomial Gram-Negative Bacilli: Experience at a University and Review of the Literature," <i>Rev. Infect. Dis.</i> 8:693-704, University of Chicago Press (1986)

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AR	<u>124</u>	Johnston, S.A., and Hopper, J.E., "Isolation of the yeast regulatory gene <i>GAL4</i> and analysis of its dosage effects on the galactose/melibiose regulon," <i>Proc. Natl. Acad. Sci. USA</i> 79:6971-6975, National Academy of Sciences (1982)
AS	<u>124</u>	Kendall, K.J., and Cohen, S.N., "Plasmid transfer in <i>Streptomyces lividans</i> : Identification of a kil-kor System Associated with the Transfer Region of pIJ101," <i>J. Bacteriol.</i> 169:4177-4183, American Society for Microbiology (1987)
AT	<u>124</u>	Lyznik, L.A., et al., "Activity of yeast FLP recombinase in maize and rice protoplasts," <i>Nucleic Acids Res.</i> 21:969-975, Oxford University Press (1993)

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	AR	<u>125</u>	Maniatis, T., "Recombinant DNA Procedures in the Study of Eukaryotic Genes," in <i>Cell Biology: A Comprehensive Treatise, Volume 3, Gene Expression: The Production of RNA's</i> , Goldstein, L. and Prescott, D.M., eds., Academic Press, Inc., New York, NY, pp. 563-608 (1980).
	AS	<u>125</u>	Mayer, B.J., and Baltimore, D., "Signalling through SH2 and SH3 domains," <i>Trends Cell Biol.</i> 3:8-13, Elsevier Science Publishers, Ltd. (1993)
	AT	<u>125</u>	McKnight, S.L., "Functional Relationships between Transcriptional Control Signals of the Thymidine Kinase Gene of Herpes Simplex Virus," <i>Cell</i> 31:355-365, MIT (1982)

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SCEP
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0942.5340002/RWE/BJD/JKMAPPLICATION NO.
10/005,876FIRST NAMED INVENTOR
Chesnut et al.FILING DATE
December 7, 2001ART UNIT
1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>126</u>	Nunes-Düby, S.E., et al., "λ Integrase cleaves DNA in <i>cis</i> ," <i>EMBO J.</i> 13:4421-4430, Oxford University Press (1994)
	AS	<u>126</u>	Odell, J., et al., "Site-directed recombination in the genome of transgenic tobacco," <i>Mol. Gen. Genet.</i> 223:369-378, Springer-Verlag (1990)
	AT	<u>126</u>	Peterson, B.Ø. and Shuman, S., "Histidine 265 Is Important for Covalent Catalysis by Vaccinia Topoisomerase and Is Conserved in All Eukaryotic Type I Enzymes," <i>J. Biol. Chem.</i> 272:3891-3896, The American Society for Biochemistry and Molecular Biology, Inc. (February 1997)

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-144 SEVENTH SUPPLEMENTAL TRADEMARK INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 0942.5340002/RWE/BJD/JKM	APPLICATION NO. 10/005,876
		FIRST NAMED INVENTOR Chesnut et al.	FILING DATE December 7, 2001

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	AN						Yes No
	AO						Yes No
	AP						Yes No

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	AR	<u>127</u>	Rausch, H. and Lehmann, M., "Structural analysis of the actinophage Φ C31 attachment site," <i>Nucleic Acids Res.</i> 19:5187-5189, IRL Press (1991)
	AS	<u>127</u>	Sadowski, I., et al., "A Noncatalytic Domain Conserved among Cytoplasmic Protein-Tyrosine Kinases Modifies the Kinase Function and Transforming Activity of Fujinami Sarcoma Virus P130 ^{gag-fps} ," <i>Mol. Cell. Biol.</i> 6:4396-4408, American Society for Microbiology (1986)
	AT	<u>127</u>	Sauer, B. and Henderson, N., "Targeted Insertion of Exogenous DNA into the Eukaryotic Genome by the Cre Recombinase," <i>New Biol.</i> 2:441-449, Saunders Scientific Publications/W.B. Saunders Company (1990)

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FORM PTO-144

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Chesnut et al.FILING DATE
December 7, 2001ART UNIT
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>128</u>	Senecoff, J.F., et al., "The FLP recombinase of the yeast 2- μ m plasmid: Characterization of its recombination site," <i>Proc. Natl. Acad. Sci. USA</i> 82:7270-7274, National Academy of Sciences (1985)
AS	<u>128</u>	Shaikh, A.C. and Sadowski, P.D., "The Cre Recombinase Cleaves the <i>lox</i> Site in <i>trans</i> ," <i>J. Biol. Chem.</i> 272:5695-5702, The American Society for Biochemistry and Molecular Biology, Inc. (February 1997)
AT	<u>128</u>	Shirai, M., et al., "Site-Specific Integration of the Actinophage R4 Genome into the Chromosome of <i>Streptomyces parvulus</i> upon Lysogenization," <i>J. Bacteriol.</i> 173:4237-4239, American Society for Microbiology (1991)

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FORM PTO-14 SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 0942.5340002/RWE/BJD/JKM	APPLICATION NO. 10/005,876
		FIRST NAMED INVENTOR Chesnut et al.	FILING DATE December 7, 2001
		ART UNIT 1636	

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AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

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AR	<u>129</u>	Shuman, S., et al., "Characterization of Vaccinia Virus DNA Topoisomerase I Expressed in <i>Escherichia coli</i> ," <i>J. Biol. Chem.</i> 263:16401-16407, The American Society for Biochemistry and Molecular Biology, Inc. (1988)
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AT	<u>129</u>	Silver, P.A., et al., "Amino terminus of the yeast GAL4 gene product is sufficient for nuclear localization," <i>Proc. Natl. Acad. Sci. USA</i> 81:5951-5955, National Academy of Sciences (1984)

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FORM PTO-1449 SEVENTH SUPPLEMENTAL TRADEMARK INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 0942.5340002/RWE/BJD/JKM	APPLICATION NO. 10/005,876
		FIRST NAMED INVENTOR Chesnut et al.	
		FILING DATE December 7, 2001	ART UNIT 1636
		U.S. PATENT DOCUMENTS	

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AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>130</u>	Stark, W.M., et al., "Catalysis by site-specific recombinases," <i>Trends Genet.</i> 8:432-439, Elsevier Science Publishers, Ltd. (1992)
AS	<u>130</u>	Ulmanen, I., et al., "Transcription and Translation of Foreign Genes in <i>Bacillus subtilis</i> by the Aid of a Secretion Vector," <i>J. Bacteriol.</i> 162:176-182, American Society for Microbiology (1985)
AT	<u>130</u>	van Deursen, J., et al., "Cre-mediated site-specific translocation between nonhomologous mouse chromosomes," <i>Proc. Natl. Acad. Sci. USA</i> 92:7376-7380, National Academy of Sciences (1995)

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FORM PTO-1449

SEVENTH SUPPLEMENTAL TRADEMARK INFORMATION DISCLOSURE STATEMENT

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ATTY. DOCKET NO.
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AL						Yes No
AM						Yes No
AN						Yes No
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AP						Yes No

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AR	<u>131</u>	Ward, J.M., et al., "Construction and characterisation of a series of multi-copy promoter-probe plasmid vectors for <i>Streptomyces</i> using the aminoglycoside phosphotransferase gene from Tn5 as indicator," <i>Mol. Gen. Genet.</i> 203:468-478, Springer-Verlag (1986)
AS	<u>131</u>	Invitrogen Life Technologies online catalog, "Directional TOPO Entry Vectors," (September 27, 2002). http://www.invitrogen.com/content.cfm?pageid=3799&cfid=2897960&cftoken=88086554
AT	<u>131</u>	International Search Report for International Application No. PCT/US99/19413 mailed on January 27, 2000

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